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EXAMINER	
CARTER, TIA A	
ART UNIT	PAPER NUMBER
2622	

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18

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/197,475	NAGASHIMA, TAKEYUKI	
	Examiner	Art Unit	
	Tia A Carter	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10 and 13-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 10, 13, and 14-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claim10, 13, and 14-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Konishi (US. 6046820) in view of Ohno (US. 5933676).

Regarding claim [10], Konishi **discloses** an image processing method which is applied to a server capable of being connected to an image forming unit having a calibration function to obtain correction data by forming and measuring a patch (fig. 1, col. 3, lines 40-55) and Ohno **discloses** plural clients through a network (Fig. 1, co. 5, lines 1-12), said method comprising:

Konishi **does not disclose** an obtaining step, of obtaining the correction data by performing communication with the image-forming unit, wherein said correction data is automatically obtained unit to obtain the correction data, asynchronous with respect to a time at which the printing job is received from the client.

Ohno **discloses** an obtaining step, of obtaining the correction data by performing communication with the image-forming unit, wherein said correction data is automatically obtained unit to obtain the correction data, asynchronous with respect to a time at which the printing job is received from the client (Fig. 5, col. 8, lines 19-44); The specification and response to arguments identifies the image-forming unit as printer (300). The client devices are equivalent to the external devices (101) cited.

Konishi **do not discloses** a receiving step, of receiving a printing job from the client.

Ohno **discloses** a receiving step, of receiving a printing job from the client (Fig. 1, col. 5, lines 1-25);

Konishi **discloses** a correcting step, of performing a correction process on image data included in the printing job, by using the obtained correction data (Fig. 5, col. 5, lines 40-60); and

Konishi **discloses** an outputting step, of outputting the image data corrected in said correcting step to the image-forming unit (Fig. 5, col. 5, lines 61-67; col. 6, lines 1-14).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with

plural devices wherein the request for calibration is accepted and executed with regards to time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to achieve communication with plural devices and execute printing job requests upon demand while managing execution of calibration at arbitrary times. This feature permits client/ user to perform plural printing jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/or inaccurate output data.

Regarding claim [13], Konishi **discloses** a storage medium which computer-readably stores a program to achieve an image processing method which is applied to a server capable of being connected to an image forming unit having a calibration function to obtain correction data by forming and measuring a patch (Fig. 1, col. 3, lines 40-55) and Ohno **discloses** plural clients through a network (Fig. 1, co. 5, lines 1-12), said method comprising:

Konishi **does not disclose** an obtaining step, of obtaining the correction data by performing communication with the image-forming unit, wherein said correction data is automatically obtained unit to obtain the correction data, asynchronous with respect to a time at which the printing job is received from the client.

Ohno **discloses** an obtaining step, of obtaining the correction data by performing communication with the image-forming unit, wherein said correction data is automatically obtained unit to obtain the correction data, asynchronous with respect to a time at which the printing job is received from the client (Fig. 5, col. 8, lines 19-44);

The specification and response to arguments identifies the image-forming unit as printer (300). The client devices are equivalent to the external devices (101) cited.

Konishi **do not discloses** a receiving step, of receiving a printing job from the client.

Ohno **discloses** a receiving step, of receiving a printing job from the client (Fig. 1, col. 5, lines 1-25);

Konishi **discloses** a correcting step, of performing a correction process on image data included in the printing job, by using the obtained correction data (Fig. 5, col. 5, lines 40-60); and

Konishi **discloses** an outputting step, of outputting the image data corrected in said correcting step to the image-forming unit (Fig. 5, col. 5, lines 61-67; col. 6, lines 1-14).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to achieve communication with plural devices and execute printing job requests upon demand while managing execution of calibration at arbitrary times. This feature permits client/ user to perform plural printing jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/or inaccurate output data.

Regarding claim [14], Konishi **discloses** a computer-readable program to achieve an image processing method which is applied to a server capable of being connected to an image forming unit having a calibration function to obtain correction data by forming and measuring a patch (fig. 1, col. 3, lines 40-55) and Ohno **discloses** plural clients through a network (Fig. 1, co. 58, lines 1-13), said program comprising:

Konishi **does not disclose** an obtaining step, of obtaining the correction data by performing communication with the image-forming unit, wherein said correction data is automatically obtained unit to obtain the correction data, asynchronous with respect to a time at which the printing job is received from the client.

Ohno **do not discloses** an obtaining step, of obtaining the correction data by performing communication with the image-forming unit, wherein said correction data is automatically obtained unit to obtain the correction data, asynchronous with respect to a time at which the printing job is received from the client. (Fig. 5, col. 8, lines 19-44);

The specification and response to arguments identifies the image-forming unit as printer (300). The client devices are equivalent to the external devices (101) cited.

Konishi **do not discloses** a receiving step, of receiving a printing job from the client.

Ohno **discloses** a receiving step, of receiving a printing job from the client (Fig. 1, col. 5, lines 1-25);

Konishi **discloses** a correcting step, of performing a correction process on image data included in the printing job, by using the obtained correction data (Fig. 5, col. 5, lines 40-60); and

Konishi **discloses** an outputting step, of outputting the image data corrected in said correcting step to the image-forming unit (Fig. 5, col. 5, lines 61-67; col. 6, lines 1-14).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to achieve communication with plural devices and execute printing job requests upon demand while managing execution of calibration at arbitrary times. This feature permits client/ user to perform plural printing

jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/ or inaccurate output.

Regarding claim [15], Konishi disclose a method according to claim 10.

Konishi **do not disclose** wherein, in said obtaining step, the correction data is obtained from the image forming unit with respect to each predetermined time.

Ohno **disclose** wherein, in said obtaining step, the correction data is obtained from the image-forming unit with respect to each predetermined time (fig. 9, col. 11, lines 43-63).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to manage execution of calibration at specific times. This feature permits client/ user to perform plural printing jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/or inaccurate output data.

Regarding claim [16], Konishi discloses a method according to claim 10.

Konishi **do not disclose** wherein the image-forming unit automatically executes the calibration function according to a condition of state parameters of the image-forming unit.

Ohno **disclose** wherein the image-forming unit automatically executes the calibration function according to a condition of state parameters of the image-forming unit (fig. 1, col. 5, lines 1-5; fig. 5, col. 8, lines 37-44; fig. 6, col. 8, lines 64-67; col. 9, lines 1-9).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to the time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to manage execution of calibration at specific times. This feature permits client/ user to perform plural printing jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/or inaccurate output.

Regarding claim [17], Konishi discloses a method according to claim 10, further comprising the step of judging whether or not the correction data should be updated, by comparing additional information of the latest correction data obtained by

communicating with the image forming unit with additional information of the correction data already stored (fig. 7, col. 6, lines 58-67; col. 7, lines 1-14).

Regarding claim [18], Konishi disclose a storage medium method (figs 8-9, col. 8, lines 23-36) according to claim 13.

Konishi **do not disclose** wherein, in said obtaining step, the correction data is obtained from the image forming unit with respect to each predetermined time.

Ohno **disclose** wherein, in said obtaining step, the correction data is obtained from the image-forming unit with respect to each predetermined time (fig. 9, col. 11, lines 43-63).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to the time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to manage execution of calibration at specific times. This feature permits client/ user to perform plural printing jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/or inaccurate output.

Regarding claim [19], Konishi discloses a storage medium (figs 8-9, col. 8, lines 23-36) according to claim 13.

Konishi **do not disclose** wherein the image-forming unit automatically executes the calibration function according to a condition of state parameters of the image-forming unit.

Ohno **disclose** wherein the image-forming unit automatically executes the calibration function according to a condition of state parameters of the image-forming unit (fig. 1, col. 5, lines 1-5; fig. 5, col. 8, lines 37-44; fig. 6, col. 8, lines 64-67; col. 9, lines 1-9).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to manage execution of calibration at specific times. This feature permits client/ user to perform plural printing jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/or inaccurate output.

Regarding claim [20], Konishi discloses a storage meduim according to claim 13, further comprising the step of judging whether or not the correction data should be

updated, by comparing additional information of the latest correction data obtained by communicating with the image forming unit with additional information of the correction data already stored (fig. 7, col. 6, lines 58-67; col. 7, lines 1-14).

Regarding claim [21], Konishi disclose a storage medium method (figs 8-9, col. 8, lines 23-36) according to claim 14.

Konishi **do not disclose** wherein, in said obtaining step, the correction data is obtained from the image forming unit with respect to each predetermined time.

Ohno **disclose** wherein, in said obtaining step, the correction data is obtained from the image-forming unit with respect to each predetermined time (fig. 9, col. 11, lines 43-63).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to time however not time dependent. Therefore, permitting the image forming device (printer) the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to manage execution of calibration at specific times. This feature permits client/ user to perform plural printing jobs via large or

small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/ or inaccurate output.

Regarding claim [22], Konishi discloses a storage medium (figs 8-9, col. 8, lines 23-36) according to claim 14.

Konishi **do not disclose** wherein the image-forming unit automatically executes the calibration function according to a condition of state parameters of the image-forming unit.

Ohno **disclose** wherein the image-forming unit automatically executes the calibration function according to a condition of state parameters of the image-forming unit (fig. 1, col. 5, lines 1-5; fig. 5, col. 8, lines 37-44; fig. 6, col. 8, lines 64-67; col. 9, lines 1-9).

It would have been obvious to one skilled in the art at the time of the invention to modify Konishi wherein the system disclosed has the capability of communicating with plural devices wherein the request for calibration is accepted and executed with regards to time however not time dependent. Therefore permitting the image forming device the capabilities to correct any environmental errors (e.g. temperatures) and/or grayscale corrections.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Konishi with Ohno in order to manage execution of calibration at specific times. This feature permits client/ user to perform plural printing jobs via large or small wherein lapse of time will not occur, causing data overflow or forced calibration, which may result in loss of data and/or inaccurate output.

Regarding claim [23], Konishi discloses a computer-readable program (figs. 8-9, col. 8, lines 23-36) according to claim 14, wherein said program further comprising the step of judging whether or not the correction data should be updated, by comparing additional information of the latest correction data obtained by communicating with the image forming unit with additional information of the correction data already stored.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6036 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-6056.

Tia A Carter
Examiner
Art Unit 2622

TAC

May 19, 2003

MARK WALLERSON
PRIMARY EXAMINER